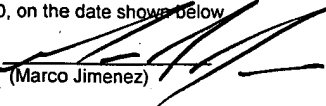


I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV701015062US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below

Dated: June 1, 2006 Signature: 

(Marco Jimenez)

**Sent By Facsimile (571-273-8300)  
and Express Mail**  
Docket No.: 393032022200

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Yoshiki NISHITANI et al.

Serial No.: 09/758,632

Filing Date: January 10, 2001

For: APPARATUS AND METHOD FOR  
DETECTING PERFORMER'S MOTION  
TO INTERACTIVELY CONTROL  
PERFORMANCE OF MUSIC OR THE  
LIKE

Examiner: M. Fletcher

Group Art Unit: 2837

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
PURSUANT TO 37 C.F.R. §§ 1.181 and 1.8(b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTION**

On April 6, 2006, the Patent Office mailed a Notice of Abandonment stating the present application was abandoned. The Notice stated the Applicants had failed to pay the issue fee and publication fee within three months of the mailing date of the Notice of Allowance. The Notice of Allowance was mailed on October 19, 2005.

Applicants respectfully submit that they responded to the Notice of Allowance in a timely manner by facsimile on October 28, 2005 and that both of these fees were timely paid. Therefore, Applicants hereby petition the Commissioner to withdraw the holding of abandonment.

### **BACKGROUND**

The present application was filed on January 10, 2001. The application was duly prosecuted and a first Notice of Allowance was mailed on December 11, 2003. Part B (Fee Transmittal) of the Notice of Allowance indicated an issue fee in the amount of \$1,330 and a publication fee of \$300. Applicants timely submitted the first Fee Transmittal by first class mail on February 20, 2004 and therein authorized the Patent Office to charge the required fees to Deposit Account No. 03-1952. A copy of the transmitted first Fee Transmittal is attached as Exhibit A to the accompanying statement of Ms. Beverly Carter. A copy of the stamped postcard receipt that properly identifies the first Fee Transmittal is attached as Exhibit B.

On October 7, 2004, Applicants filed a petition to withdraw the present application from issuance along with an RCE and a supplemental IDS. The petition was granted on October 13, 2004.

On October 28, 2004, a second Notice of Allowance was mailed after the Examiner considered the newly submitted IDS. Part B (Fee Transmittal) of the second Notice of Allowance indicated an issue fee of \$40 and a publication fee of \$0. The \$40 fee reflected an increase in the issue fee from the previous Fee Transmittal. Because the publication fee had not increased, the second Fee Transmittal correctly indicated that no publication fee was due. Applicants submitted another supplemental IDS on January 12, 2005 and, thereafter, timely submitted the second Fee Transmittal by first class mail on January 27, 2005 authorizing the Patent Office to charge \$70 (reflecting the correct increase) to Deposit Account No. 03-1952. A copy of the transmitted second Fee Transmittal is attached as Exhibit C. A copy of the stamped postcard receipt that properly identifies the second Fee Transmittal is attached as Exhibit D.

On October 19, 2005, a third Notice of Allowance was mailed after the Examiner considered the second supplemental IDS submitted in January 2005. Part B (Fee Transmittal) of the third Notice of Allowance indicated an issue fee of \$0 and a publication fee of \$0. The transmittal thus correctly reflected that the Applicants had fully and timely paid the issue fee and publication fee through the submissions of the first and second Fee Transmittals. Applicants timely submitted the third Fee Transmittal by facsimile on October 28, 2005. Even though no fees were due, Applicants authorized the Patent Office to charge any required fees to Deposit Account No. 03-1952. A copy of the transmitted third Fee Transmittal along with facsimile cover sheet is attached as Exhibit E. A copy of the return receipt confirmation of facsimile transmission to the Patent Office is attached as Exhibit F.

On April 6, 2006, the Patent Office mailed a Notice of Abandonment for failure to pay the issue fee and the publication within three months of the mailing date of the third Notice of Allowance.

#### **REQUEST TO WITHDRAW HOLDING OF ABANDONMENT**

As explained above and shown in the accompanying exhibits E and F, Applicants timely submitted the third Fee Transmittal. The third Fee Transmittal set a deadline of January 19, 2006, and Applicants submitted the transmittal on October 28, 2005 via facsimile as indicated by the signed certificate of transmission. Even though no fees were due, Applicants authorized in the third Fee Transmittal the payment of any fees relating to the third Notice of Allowance.

The holding of abandonment by the Patent Office is apparently a result of the Patent Office not having evidence of receiving the third Fee Transmittal. To that end, Applicants respectfully request that the transmission of the third Fee Transmittal on October 28, 2005 be considered pursuant to 37 C.F.R. § 1.8(b).

The requirement of § 1.8(b)(1) is met, because Applicants are submitting this petition in a timely manner after receipt of the Notice of Abandonment. When Applicants submitted the third Fee Transmittal, they received the return receipt confirmation (Exhibit F). There was no reason to

believe that the application would be abandoned eight months later. Only after the Patent Office indicated that the application had become abandoned did the Applicants realize that the Patent Office may not have evidence of receiving the third Fee Transmittal.

The requirement of § 1.8(b)(2) is satisfied in that the accompanying statement of Ms. Carter attaches, as Exhibit E, a copy of the submitted third Fee Transmittal with the signed certificate of transmission. A copy of the returned receipt confirmation from the Patent Office is also attached as Exhibit F.

The requirement of § 1.8(b)(3) is met by the accompanying statement of Ms. Carter. Ms. Carter signed the certificate of transmission on October 28, 2005. She provided the third Fee Transmittal with the signed certificate and a facsimile cover page to the facsimile department of her employment (the law firm of Morrison & Foerster). The department transmitted the third Fee Transmittal and the cover page on October 28, 2005. A copy of the facsimile department's transmission report is attached as Exhibit G. It shows that on October 28, 2005, at 3:19 PST, a two page fax was successfully transmitted to facsimile no. (571) 273-2885 for the matter or docket number 20222, which is the matter number of the present application. The Patent Office then immediately sent a return receipt confirmation on 6:21 EST as set forth in Exhibit F.

In view of the above showing, Applicants respectfully submit that the third Fee Transmittal was submitted in a timely fashion on October 28, 2005. Thus, the application is not in fact abandoned, and Applicants respectfully request that the Patent Office withdraw the holding of abandonment.

It is not believed that any fees are due with this Petition. In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Director to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **393032022200**.

Dated: June 1, 2006

Respectfully submitted,

By 

Mehran Arjomand

Registration No.: 48,231

MORRISON & FOERSTER LLP

555 West Fifth Street, Suite 3500

Los Angeles, California 90013

(213) 892-5630



**PETITION FEE**  
**Under 37 CFR 1.17(f), (g) & (h)**  
**TRANSMITTAL**

(Fees are subject to annual revision)

**Send completed form to:**

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/758,632
Filing Date	January 10, 2001
First Named Inventor	Yoshiki NISHITANI
Art Unit	2837
Examiner Name	M. T. Fletcher
Attorney Docket Number	393032022200

Enclosed is a petition filed under 37 CFR 1.313 that requires a processing fee (37 CFR 1.17(f)), (g), or (h)). Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

**Payment of Fees** (small entity amounts are NOT available for the petition fees).

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 03-1952 :

☒ Petition fee under 37 CFR 1.17(f), (g) or (h) ☒ Any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

**Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462**

For petitions filed under:

- § 1.53(e) – to accord a filing date.
- § 1.57(a) – to accord a filing date.
- § 1.182 – for decision on a question not specifically provided for.
- § 1.183 – to suspend the rules.
- § 1.378(e) – for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) – to accord a filing date to an application under § 1.740 for extension of a patent term.

**Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463**

For petitions filed under:

- § 1.12 – for access to an assignment record.
- § 1.14 – for access to an application.
- § 1.47 – for filing by other than all the inventors or a person not the inventor.
- § 1.59 – for expungement of information.
- § 1.103(a) – to suspend action in an application.
- § 1.136(b) – for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 – for review of refusal to publish a statutory invention registration.
- § 1.296 – to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 – for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) – for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.956 – for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 – for expedited handling of a foreign filing license.
- § 5.15 – for changing the scope of a license.
- § 5.25 – for retroactive license.

**Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464**

For petitions filed under:

- § 1.19(g) – to request documents in a form other than that provided in this part.
- § 1.84 – for accepting color drawings or photographs.
- § 1.91 – for entry of a model or exhibit.
- § 1.102(d) – to make an application special.
- § 1.138(c) – to expressly abandon an application to avoid publication.
- § 1.313 – to withdraw an application from issue.
- § 1.314 – to defer issuance of a patent.

Signature

June 1, 2006

Date

Mehran Arjomand

Typed or printed name

48,231

Registration No., if applicable

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV701015062US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, and by facsimile to (571) 273-8300 on the date shown below.

Dated: June 1, 2006

Signature:

(Marco Jimenez)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV701015062US, in an envelope addressed to: MS Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 1, 2006 Signature:

(Marco Jimenez)

**Sent By Facsimile (571-273-8300)  
and Express Mail**  
Docket No.: 393032022200

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Yoshiki NISHITANI et al.

Serial No.: 09/758,632

Filing Date: January 10, 2001

For: APPARATUS AND METHOD FOR  
DETECTING PERFORMER'S MOTION  
TO INTERACTIVELY CONTROL  
PERFORMANCE OF MUSIC OR THE  
LIKE

Examiner: M. Fletcher

Group Art Unit: 2837

**STATEMENT ATTESTING TO TIMELY TRANSMISSION OF FACSIMILE  
PURSUANT TO 37 CFR § 1.8 (b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. I, Beverly Carter, am a Senior Paralegal at Morrison & Foerster LLP.
2. I am responsible for handling the payment of the issue fee and publication fee of the present application.
3. On December 11, 2003, a first Notice of Allowance was mailed. Part B (Fee Transmittal) of the first Notice of Allowance indicated an issue fee of \$1330 and a publication fee of

\$300. The first Fee Transmittal was signed by an attorney of record and authorized payment of any fees. I then submitted the first Fee Transmittal by first class mail to the Patent Office on February 20, 2004 along with a signed certificate of mailing. A copy of the first Fee Transmittal and the signed certificate of mailing is attached as Exhibit A. A copy of a stamped postcard receipt that properly identifies the first Fee Transmittal is attached as Exhibit B.

4. On October 28, 2004, a second Notice of Allowance was mailed. Part B (Fee Transmittal) of the second Notice of Allowance indicated an issue fee of \$40 and a publication fee of \$0. The second Fee Transmittal was signed by an attorney of record and authorized payment of any fees, including \$70 reflecting the correct increase in the issue fee from the previous payment. I then directed my assistant Enrique Moreno to submit the second Fee Transmittal by first class mail to the Patent Office. A copy of the second Fee Transmittal and a signed certificate of mailing by Mr. Moreno on January 27, 2005 is attached as Exhibit C. A copy of a stamped postcard receipt that properly identifies the second Fee Transmittal is attached as Exhibit D.

5. On October 19, 2005, a third Notice of Allowance was mailed. Part B (Fee Transmittal) of the third Notice of Allowance indicated an issue fee of \$0 and a publication fee of \$0. The third Fee Transmittal was signed by an attorney of record on October 28, 2005 and authorized payment of any fees, even though no fees were due. I then signed the certificate of transmission. A copy of the third Fee Transmittal with a signed certificate of mailing and a facsimile cover sheet are attached as Exhibit E.

6. On October 28, 2005, I delivered the signed third Fee Transmittal and the cover sheet to the facsimile department of Morrison & Foerster. After transmission of the third Fee Transmittal and the cover sheet, the papers were returned to me along with confirmation of transmittal. A copy of the return receipt confirmation is attached as Exhibit F. A copy of the facsimile department's Activity Report confirming both pages of this transmission were successfully transmitted to telephone number (571) 273-2885 on October 28, 2005 is attached as Exhibit G.



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: June 1, 2006

By 

Beverly S. Carter

Senior Paralegal

MORRISON & FOERSTER LLP

555 West Fifth Street, Suite 3500

Los Angeles, California 90013

(213) 892-5267

**MORRISON | FOERSTER**

555 WEST FIFTH STREET  
LOS ANGELES  
CALIFORNIA 90013-1024

TELEPHONE: 213.892.5200  
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MORRISON & FOERSTER LLP  
NEW YORK, SAN FRANCISCO,  
LOS ANGELES, PALO ALTO,  
SAN DIEGO, WASHINGTON, D.C.  
DENVER, NORTHERN VIRGINIA,  
ORANGE COUNTY, SACRAMENTO,  
WALNUT CREEK, CENTURY CITY  
TOKYO, LONDON, BEIJING,  
SHANGHAI, HONG KONG,  
SINGAPORE, BRUSSELS

To:

NAME:	FACSIMILE:	TELEPHONE:
MAIL STOP ISSUE FEE Commissioner for Patents	(571) 273-2885	(571) 272-4200

FROM: Beverly S. Carter

DATE: October 28, 2005

Number of pages with cover page:	2	RE: U.S. Patent Application No. 09/758,632 Our Ref.: 39303-20222.00
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Preparer of this slip has confirmed that facsimile number given is 9098/BSC4  
correct:

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**Comments:**

Dear Sir or Madam:

Attached is the Part B-Fee Transmittal for the issue fee, duly executed by the attorney of record. The total issue fee and publication fees have been paid for this application. Therefore, we only request the 10 advance copies of the patent.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL  
BEVERLY S. CARTER AT 213 892 5267 AS SOON AS POSSIBLE.

LA-826054

## Auto-Reply Facsimile Transmission



TO:

Fax Sender at 2138925454

Fax Information

Date Received:

10/28/2005 6:19:59 PM [Eastern Daylight Time]

Total Pages:

2 (including cover page)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received  
Cover  
Page

=====➔

10/28/2005 15:20 FAX 2138925454		MORRISON & FOERSTER # 4		0001	
<b>MORRISON   FOERSTER</b>		333 WEST FIFTH STREET LOS ANGELES CALIFORNIA 90013-1024 TELEPHONE 213.622.5300 FACSIMILE 213.892.5454 WWW.MOFO.COM		MORRISON & FOERSTER LLP NEW YORK, SAN FRANCISCO, LOS ANGELES, PALO ALTO, SAN DIEGO, WASHINGTON, D.C. DENVER, HOUSTON, VILLENIA, OAKLAND, CHICAGO, SACRAMENTO, WALNUT CREEK, CLEVELAND CITY TOKYO, LONDON, BEIJING, HONGKONG, HONG KONG, SINGAPORE, SEOUL, BEIJING	
To:					
NAME:		FACSIMILE:		TELEPHONE:	
MAIL STOP ISSUE FEE Commissioner for Patents		(571) 273-2885		(571) 272-4200	
FROM: Beverly S. Carter		DATE: October 28, 2005			
Number of pages with cover page: 2		RE: U.S. Patent Application No. 09/758,632 Our Ref.: 39303-20222.00			
Preparer of this slip has confirmed that facsimile number given is <u>9098/BSC4</u> correct:					
<b>CAUTION - CONFIDENTIAL</b>					
This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.					
Comments:					
Dear Sir or Madam:					
Attached is the Part B-Fee Transmittal for the issue fee, duly executed by the attorney of record. The total issue fee and publication fees have been paid for this application. Therefore, we only request the 10 advance copies of the patent.					
IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL BEVERLY S. CARTER AT 213 892 5267 AS SOON AS POSSIBLE.					
LA-826054					
PAGE 1/2 'RCVD AT 10/28/2005 6:19:59 PM [Eastern Daylight Time]' 'SVR:USPTO-EF/XRF-629' 'DNIS:2732885' 'CSID:2138925454' 'DURATION (mm:ss):01:02					

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 \*\*\* ACTIVITY REPORT \*\*\*  
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34

154

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11/01 17:12	0#00017#12133803898#		0901	TRANSMIT	0	NG 00'00
					0	STOP

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSU' EE  
Commissioner 1. Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
or Fax (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

25224 7590 10/19/2005

MORRISON & FOERSTER, LLP  
555 WEST FIFTH STREET  
SUITE 3500  
LOS ANGELES, CA 90013-1024



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Beverly S. Carter (Depositor's name)  
*Beverly S. Carter* (Signature)  
October 28, 2005 (Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,632	01/10/2001	Yoshiki Nishitani	39303.20222.00	9558

TITLE OF INVENTION: APPARATUS AND METHOD FOR DETECTING PERFORMER'S MOTION TO INTERACTIVELY CONTROL PERFORMANCE OF MUSIC OR THE LIKE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$0	\$0	\$0	01/19/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
FLETCHER, MARLON T	2837	084-615000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 MORRISON & FOERSTER LLP

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Yamaha Corporation

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Hamamatsu-shi, JAPAN

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

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5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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*David L. Fehrman*

Date October 28, 2005

Typed or printed name David L. Fehrman

Registration No. 28,600

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**SUITE 3500**  
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<b>Enrique Moreno</b>	(Depositor's name)
<i>Enrique Moreno</i>	(Signature)
<b>January 27, 2005</b>	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,632	01/10/2001	Yoshiki Nishitani	39303.20222.00	9558

**TITLE OF INVENTION:** APPARATUS AND METHOD FOR DETECTING PERFORMER'S MOTION TO INTERACTIVELY CONTROL PERFORMANCE OF MUSIC OR THE LIKE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	<del>\$40</del> \$70	\$0	<del>\$40</del> \$70	01/28/2005

EXAMINER	ART UNIT	CLASS-SUBCLASS
FLETCHER, MARLON T	2837	084-615000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
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2. For printing on the patent front page, list

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1 Morrison & Foerster, LLP

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

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(A) NAME OF ASSIGNEE

**YAMAHA CORPORATION**

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

**Hamamatsu-shi, JAPAN**

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

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- ☒ The Director is hereby authorized to charge the required fee(s), or credit any overpayment Deposit Account Number 03-1952 (enclose an extra copy of this form).

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*David L. Fehman*

Date January 27, 2005

Typed or printed name David L. Fehman

Registration No. 28,600

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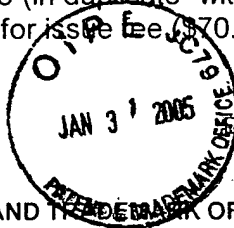
Attorney Docket: 39303-20222.00 Date: January 27, 2005  
Inventor(s): Yoshiki NISHITANI et al. USSN: 09/758,632  
Title: APPARATUS AND METHOD FOR DETECTING PERFORMER'S MOTION TO  
INTERACTIVELY CONTROL PERFORMANCE OF MUSIC OR THE LIKE  
Due Date: January 28, 2005

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Beverly S. Carter	(Depositor's name)
<i>Beverly S. Carter</i>	(Signature)
February 20, 2004	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/758,632	01/10/2001	Yoshiki Nishitani	39303.20222.00	9558

TITLE OF INVENTION: APPARATUS AND METHOD FOR DETECTING PERFORMER'S MOTION TO INTERACTIVELY CONTROL PERFORMANCE OF MUSIC OR THE LIKE

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	03/11/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
FLETCHER, MARLON T	2837	084-615000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

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1 MORRISON & FOERSTER LLP  
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(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

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(Authorized Signature) *David L. Fehrman* (Date)

David L. Fehrman, Reg. No. 28,600 02/20/2004

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Attorney Docket: 39303-20222.00  
inventor(s): Yoshiki NISHITANI, et al.

Date: February 20, 2004  
USSN: 09/758,632

Title: APPARATUS AND METHOD FOR DETECTING PERFORMER'S MOTION TO  
INTERACTIVELY CONTROL PERFORMANCE OF MUSIC OR THE LIKE

**Due Date: March 11, 2004**

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